

**THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF VIRGINIA**

**Alexandria Division**

UNITED STATES OF AMERICA

v.

RAYMOND RAHBAR,

*Defendant.*

Case No. 1:24-cr-180-PTG

**RESPONSE TO RAHBAR'S MOTION TO ADOPT**

On October 25, 2024, Defendant Ryan Macaulay moved for a pretrial hearing to determine the existence of a conspiracy and the admissibility of coconspirator statements. ECF No. 35. On November 14, 2024, the United States responded to Macaulay's motion. ECF No. 37. On November 19, 2024, Defendant Raymond Rahbar moved to adopt and join Macaulay's pretrial motion. ECF No. 55. Importantly, Rahbar advances no new arguments in his motion to adopt. *Id.*


The United States takes no position on Rahbar's motion to adopt. The United States, however, remains opposed to the cumbersome *James* hearing that Macaulay—and now Rahbar—proposes. As previously noted, such a hearing is unnecessary given the tools the Court can employ at trial to protect the defendants and the proceedings. *See generally* ECF No. 37. Instead, the Court should adhere to this District's common practice of allowing the United States to conditionally admit coconspirator statements subject to later connection, a procedure blessed by the Fourth Circuit. *Id.*

For the reasons stated above and previously, the Court should deny the motion for a pretrial ruling on existence of a conspiracy.

Respectfully submitted,

Jessica D. Aber  
United States Attorney

Date: November 25, 2024

By:   
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Christopher J. Hood  
Kristin S. Starr  
*Assistant United States Attorneys*

**CERTIFICATE OF SERVICE**

I hereby certify that on November 25, 2024, I caused a copy of the foregoing to be filed with the Clerk of Court using the CM/ECF system, which will automatically generate a Notice of Electronic Filing (NEF) to all counsel of record.



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Christopher J. Hood  
Assistant United States Attorney